



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5949

Introduced 2/10/2010, by Rep. Susana A. Mendoza

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4
625 ILCS 5/6-110

from Ch. 124, par. 24
from Ch. 95 1/2, par. 6-110

Amends the Illinois Identification Card Act and the Illinois Vehicle Code. Provides that upon the applicant's request, the Secretary of State may issue a driver's license or other State identification card to the applicant that does not display the street portion of the applicant's residence address. Provides that the driver's license or State identification card issued to the applicant shall display, at a minimum, the applicant's city, state, and zip code portion of the applicant's residence address. Effective immediately.

LRB096 18197 AJT 33572 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning State identification cards.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Identification Card Act is amended
5 by changing Section 4 as follows:

6 (15 ILCS 335/4) (from Ch. 124, par. 24)

7 Sec. 4. Identification Card.

8 (a) The Secretary of State shall issue a standard Illinois
9 Identification Card to any natural person who is a resident of
10 the State of Illinois who applies for such card, or renewal
11 thereof, or who applies for a standard Illinois Identification
12 Card upon release as a committed person on parole, mandatory
13 supervised release, final discharge, or pardon from the
14 Department of Corrections by submitting an identification card
15 issued by the Department of Corrections under Section 3-14-1 of
16 the Unified Code of Corrections, together with the prescribed
17 fees. No identification card shall be issued to any person who
18 holds a valid foreign state identification card, license, or
19 permit unless the person first surrenders to the Secretary of
20 State the valid foreign state identification card, license, or
21 permit. The card shall be prepared and supplied by the
22 Secretary of State and shall include a photograph and signature
23 or mark of the applicant. The Illinois Identification Card may

1 be used for identification purposes in any lawful situation
2 only by the person to whom it was issued. As used in this Act,
3 "photograph" means any color photograph or digitally produced
4 and captured image of an applicant for an identification card.
5 As used in this Act, "signature" means the name of a person as
6 written by that person and captured in a manner acceptable to
7 the Secretary of State.

8 (b) The Secretary of State shall issue a special Illinois
9 Identification Card, which shall be known as an Illinois
10 Disabled Person Identification Card, to any natural person who
11 is a resident of the State of Illinois, who is a disabled
12 person as defined in Section 4A of this Act, who applies for
13 such card, or renewal thereof. No Disabled Person
14 Identification Card shall be issued to any person who holds a
15 valid foreign state identification card, license, or permit
16 unless the person first surrenders to the Secretary of State
17 the valid foreign state identification card, license, or
18 permit. The Secretary of State shall charge no fee to issue
19 such card. The card shall be prepared and supplied by the
20 Secretary of State, and shall include a photograph and
21 signature or mark of the applicant, a designation indicating
22 that the card is an Illinois Disabled Person Identification
23 Card, and shall include a comprehensible designation of the
24 type and classification of the applicant's disability as set
25 out in Section 4A of this Act. If the applicant so requests,
26 the card shall include a description of the applicant's

1 disability and any information about the applicant's
2 disability or medical history which the Secretary determines
3 would be helpful to the applicant in securing emergency medical
4 care. If a mark is used in lieu of a signature, such mark shall
5 be affixed to the card in the presence of two witnesses who
6 attest to the authenticity of the mark. The Illinois Disabled
7 Person Identification Card may be used for identification
8 purposes in any lawful situation by the person to whom it was
9 issued.

10 The Illinois Disabled Person Identification Card may be
11 used as adequate documentation of disability in lieu of a
12 physician's determination of disability, a determination of
13 disability from a physician assistant who has been delegated
14 the authority to make this determination by his or her
15 supervising physician, a determination of disability from an
16 advanced practice nurse who has a written collaborative
17 agreement with a collaborating physician that authorizes the
18 advanced practice nurse to make this determination, or any
19 other documentation of disability whenever any State law
20 requires that a disabled person provide such documentation of
21 disability, however an Illinois Disabled Person Identification
22 Card shall not qualify the cardholder to participate in any
23 program or to receive any benefit which is not available to all
24 persons with like disabilities. Notwithstanding any other
25 provisions of law, an Illinois Disabled Person Identification
26 Card, or evidence that the Secretary of State has issued an

1 Illinois Disabled Person Identification Card, shall not be used
2 by any person other than the person named on such card to prove
3 that the person named on such card is a disabled person or for
4 any other purpose unless the card is used for the benefit of
5 the person named on such card, and the person named on such
6 card consents to such use at the time the card is so used.

7 An optometrist's determination of a visual disability
8 under Section 4A of this Act is acceptable as documentation for
9 the purpose of issuing an Illinois Disabled Person
10 Identification Card.

11 When medical information is contained on an Illinois
12 Disabled Person Identification Card, the Office of the
13 Secretary of State shall not be liable for any actions taken
14 based upon that medical information.

15 (c) Beginning January 1, 1986, the Secretary of State shall
16 provide that each original or renewal Illinois Identification
17 Card or Illinois Disabled Person Identification Card issued to
18 a person under the age of 21, shall be of a distinct nature
19 from those Illinois Identification Cards or Illinois Disabled
20 Person Identification Cards issued to individuals 21 years of
21 age or older. The color designated for Illinois Identification
22 Cards or Illinois Disabled Person Identification Cards for
23 persons under the age of 21 shall be at the discretion of the
24 Secretary of State.

25 (c-1) Beginning January 1, 2003, each original or renewal
26 Illinois Identification Card or Illinois Disabled Person

1 Identification Card issued to a person under the age of 21
2 shall display the date upon which the person becomes 18 years
3 of age and the date upon which the person becomes 21 years of
4 age.

5 (d) The Secretary of State may issue a Senior Citizen
6 discount card, to any natural person who is a resident of the
7 State of Illinois who is 60 years of age or older and who
8 applies for such a card or renewal thereof. The Secretary of
9 State shall charge no fee to issue such card. The card shall be
10 issued in every county and applications shall be made available
11 at, but not limited to, nutrition sites, senior citizen centers
12 and Area Agencies on Aging. The applicant, upon receipt of such
13 card and prior to its use for any purpose, shall have affixed
14 thereon in the space provided therefor his signature or mark.

15 (e) The Secretary of State, in his or her discretion, may
16 designate on each Illinois Identification Card or Illinois
17 Disabled Person Identification Card a space where the card
18 holder may place a sticker or decal, issued by the Secretary of
19 State, of uniform size as the Secretary may specify, that shall
20 indicate in appropriate language that the card holder has
21 renewed his or her Illinois Identification Card or Illinois
22 Disabled Person Identification Card.

23 (f) Upon the applicant's request, the Secretary of State
24 may issue a Illinois Identification Card or Illinois Disabled
25 Person Identification Card to the applicant that does not
26 display the street portion of the applicant's residence

1 address. However, the Illinois Identification Card or Illinois
2 Disabled Person Identification Card issued to the applicant
3 shall display, at a minimum, the applicant's city, state, and
4 zip code portion of the applicant's residence address.

5 (Source: P.A. 95-762, eff. 1-1-09; 95-779, eff. 1-1-09; 96-146,
6 eff. 1-1-10; 96-328, eff. 8-11-09.)

7 Section 10. The Illinois Vehicle Code is amended by
8 changing Section 6-110 as follows:

9 (625 ILCS 5/6-110) (from Ch. 95 1/2, par. 6-110)

10 Sec. 6-110. Licenses issued to drivers.

11 (a) The Secretary of State shall issue to every qualifying
12 applicant a driver's license as applied for, which license
13 shall bear a distinguishing number assigned to the licensee,
14 the legal name, signature, zip code, date of birth, residence
15 address, and a brief description of the licensee. Upon the
16 applicant's request, the Secretary of State may issue a
17 driver's license to the applicant that does not display the
18 street portion of the applicant's residence address. However,
19 the driver's license issued to the applicant shall display, at
20 a minimum, the applicant's city, state, and zip code portion of
21 the applicant's residence address.

22 Licenses issued shall also indicate the classification and
23 the restrictions under Section 6-104 of this Code.

24 In lieu of the social security number, the Secretary may in

1 his discretion substitute a federal tax number or other
2 distinctive number.

3 A driver's license issued may, in the discretion of the
4 Secretary, include a suitable photograph of a type prescribed
5 by the Secretary.

6 (a-1) If the licensee is less than 18 years of age, unless
7 one of the exceptions in subsection (a-2) apply, the license
8 shall, as a matter of law, be invalid for the operation of any
9 motor vehicle during the following times:

10 (A) Between 11:00 p.m. Friday and 6:00 a.m. Saturday;

11 (B) Between 11:00 p.m. Saturday and 6:00 a.m. on
12 Sunday; and

13 (C) Between 10:00 p.m. on Sunday to Thursday,
14 inclusive, and 6:00 a.m. on the following day.

15 (a-2) The driver's license of a person under the age of 18
16 shall not be invalid as described in subsection (a-1) of this
17 Section if the licensee under the age of 18 was:

18 (1) accompanied by the licensee's parent or guardian or
19 other person in custody or control of the minor;

20 (2) on an errand at the direction of the minor's parent
21 or guardian, without any detour or stop;

22 (3) in a motor vehicle involved in interstate travel;

23 (4) going to or returning home from an employment
24 activity, without any detour or stop;

25 (5) involved in an emergency;

26 (6) going to or returning home from, without any detour

1 or stop, an official school, religious, or other
2 recreational activity supervised by adults and sponsored
3 by a government or governmental agency, a civic
4 organization, or another similar entity that takes
5 responsibility for the licensee, without any detour or
6 stop;

7 (7) exercising First Amendment rights protected by the
8 United States Constitution, such as the free exercise of
9 religion, freedom of speech, and the right of assembly; or

10 (8) married or had been married or is an emancipated
11 minor under the Emancipation of Minors Act.

12 (a-2.5) The driver's license of a person who is 17 years of
13 age and has been licensed for at least 12 months is not invalid
14 as described in subsection (a-1) of this Section while the
15 licensee is participating as an assigned driver in a Safe Rides
16 program that meets the following criteria:

17 (1) the program is sponsored by the Boy Scouts of
18 America or another national public service organization;
19 and

20 (2) the sponsoring organization carries liability
21 insurance covering the program.

22 (a-3) If a graduated driver's license holder over the age
23 of 18 committed an offense against traffic regulations
24 governing the movement of vehicles or any violation of Section
25 6-107 or Section 12-603.1 of this Code in the 6 months prior to
26 the graduated driver's license holder's 18th birthday, and was

1 subsequently convicted of the offense, the provisions of
2 subsection (a-1) shall continue to apply until such time as a
3 period of 6 consecutive months has elapsed without an
4 additional violation and subsequent conviction of an offense
5 against traffic regulations governing the movement of vehicles
6 or Section 6-107 or Section 12-603.1 of this Code.

7 (b) Until the Secretary of State establishes a First Person
8 Consent organ and tissue donor registry under Section 6-117 of
9 this Code, the Secretary of State shall provide a format on the
10 reverse of each driver's license issued which the licensee may
11 use to execute a document of gift conforming to the provisions
12 of the Illinois Anatomical Gift Act. The format shall allow the
13 licensee to indicate the gift intended, whether specific
14 organs, any organ, or the entire body, and shall accommodate
15 the signatures of the donor and 2 witnesses. The Secretary
16 shall also inform each applicant or licensee of this format,
17 describe the procedure for its execution, and may offer the
18 necessary witnesses; provided that in so doing, the Secretary
19 shall advise the applicant or licensee that he or she is under
20 no compulsion to execute a document of gift. A brochure
21 explaining this method of executing an anatomical gift document
22 shall be given to each applicant or licensee. The brochure
23 shall advise the applicant or licensee that he or she is under
24 no compulsion to execute a document of gift, and that he or she
25 may wish to consult with family, friends or clergy before doing
26 so. The Secretary of State may undertake additional efforts,

1 including education and awareness activities, to promote organ
2 and tissue donation.

3 (c) The Secretary of State shall designate on each driver's
4 license issued a space where the licensee may place a sticker
5 or decal of the uniform size as the Secretary may specify,
6 which sticker or decal may indicate in appropriate language
7 that the owner of the license carries an Emergency Medical
8 Information Card.

9 The sticker may be provided by any person, hospital,
10 school, medical group, or association interested in assisting
11 in implementing the Emergency Medical Information Card, but
12 shall meet the specifications as the Secretary may by rule or
13 regulation require.

14 (d) The Secretary of State shall designate on each driver's
15 license issued a space where the licensee may indicate his
16 blood type and RH factor.

17 (e) The Secretary of State shall provide that each original
18 or renewal driver's license issued to a licensee under 21 years
19 of age shall be of a distinct nature from those driver's
20 licenses issued to individuals 21 years of age and older. The
21 color designated for driver's licenses for licensees under 21
22 years of age shall be at the discretion of the Secretary of
23 State.

24 (e-1) The Secretary shall provide that each driver's
25 license issued to a person under the age of 21 displays the
26 date upon which the person becomes 18 years of age and the date

1 upon which the person becomes 21 years of age.

2 (f) The Secretary of State shall inform all Illinois
3 licensed commercial motor vehicle operators of the
4 requirements of the Uniform Commercial Driver License Act,
5 Article V of this Chapter, and shall make provisions to insure
6 that all drivers, seeking to obtain a commercial driver's
7 license, be afforded an opportunity prior to April 1, 1992, to
8 obtain the license. The Secretary is authorized to extend
9 driver's license expiration dates, and assign specific times,
10 dates and locations where these commercial driver's tests shall
11 be conducted. Any applicant, regardless of the current
12 expiration date of the applicant's driver's license, may be
13 subject to any assignment by the Secretary. Failure to comply
14 with the Secretary's assignment may result in the applicant's
15 forfeiture of an opportunity to receive a commercial driver's
16 license prior to April 1, 1992.

17 (g) The Secretary of State shall designate on a driver's
18 license issued, a space where the licensee may indicate that he
19 or she has drafted a living will in accordance with the
20 Illinois Living Will Act or a durable power of attorney for
21 health care in accordance with the Illinois Power of Attorney
22 Act.

23 (g-1) The Secretary of State, in his or her discretion, may
24 designate on each driver's license issued a space where the
25 licensee may place a sticker or decal, issued by the Secretary
26 of State, of uniform size as the Secretary may specify, that

1 shall indicate in appropriate language that the owner of the
2 license has renewed his or her driver's license.

3 (h) A person who acts in good faith in accordance with the
4 terms of this Section is not liable for damages in any civil
5 action or subject to prosecution in any criminal proceeding for
6 his or her act.

7 (Source: P.A. 95-310, eff. 1-1-08; 95-747, eff. 7-22-08;
8 96-607, eff. 8-24-09.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.